IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 32813 of 1997

Between:

1 M.Ramakrishna Reddy S/o Rangareddy
H.No.112, NGO's Colony, Guntur.
2 K.Seethapathi Rao S/o Sastrulu
No.10,Sadasivanagar, Gujjinagundla,
Guntur.
3 G.Venkatappa Reddy S/o Nagi Reddy
Vallabhpuram (PO), Kollipara Mandal,
Guntur District.
4 Kurra Sivaiah S/o Krishnaiah
Appikatla (PO), Guntur District.
5 M.Butchaiah S/o Ramamurthy
Chinthalapudi (PO), Ponnuru Mandal,
Gunutur District.
6 Vasireddy Jayaprasad S/o Seetharamaiah
6/1,Chandramoulinagar, Guntur.
7 Universal Constructions, rep. by its Managing Partner
K.Dhanujaya Rao S/o Nagabhushanam
Plot.No.2,Sai Mansion,5th Line, Brindavan Gardens,
Guntur-522006
8 G.Venkateswarlu S/o Punnaiah
Unnava (PO), Yadlapadu (M),
Guntur District.
9 Chukkapalli Mohan Rao S/o Narayanaswamy
R/o Irukupalem (PO), Muppalla Mandal,
Guntur District.
10 Vunnava Narasimha Rao S/o Viswanadham
Janapadu (PO), Piduguralla (M),
Guntur District. ..... PETITIONERS

AND

1 The Superintending Engineer, R&B Circle, Guntur.
2 The Superintending Engineer, R&B Circle, Nellore.
3 The Superintending Engineer, Pancyatraj, Guntur.
4 The Superintending Engineer, Pancyatraj, Ongole.
(Dismissed for default as per Court Order dt.6-9-2000 as against R-4)
5 The Superintending Engineer, Public Health, Guntur.
6 The Executive Engineer, R&B Division, Guntur.
7 The Executive Engineer, R&B Division, Tenali.
8 The Executive Engineer, R&B Division, Narasaraopet.
9 The Executive Engineer, Panchayatraj, Guntur.
10 The Executive Engineer, Panchayatraj, Tenali.
11 The Executive Engineer, Panchayatraj, Narasaraopet.
12 The Executive Engineer, Marketing, Guntur.
13 The Commissioner, Guntur Municipal Corporation, Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, declaring the action of the respondents in insisting for the deposit of E.M.D. in the shape of National Savings Certificates or postal term deposit scheme certificate and also insisting for submission of financial turnover certificates and also insisting for submission of tax clearance certificate from the commercial tax department along with issuing of tender schedules or at the time of exception of agree or at the time of execution of agreements along with the bill payments as being illegal void and violative of articles 14 and 19(1) (g) of the Constitution of India while directing the respondents to accept the Demand Drafts either or issuing tender schedules or at the time of execution of agreements and at the time of payment of bills amounts or at the time of refund of the deposit of E.M.D. without insisting for production of financial turnover certificates without insisting for clearance certificate from the commercial tax department and not insist the petitioners for experience certificate or physical experience certificate and income -tax clearance certificate.

Counsel for the Petitioner : Mr.T.JAGDISH

Counsel for Respondents : G.P. FOR ROADS & BUILDINGS

The Court made the following :

ORDER:

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Learned counsel for the petitioner submits that no cause survives in this writ

petition and it has become infructuous.

Recording the submissions made by the learned counsel for the petitioner, this Writ Petition is dismissed as having become infructuous. No order as to costs.

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N.V.RAMANA, J

Date: 1.4.2005

DA/SVV

To

1 The Superintending Engineer, R&B Circle, Guntur.
2 The Superintending Engineer, R&B Circle, Nellore.
3 The Superintending Engineer, Pancyatraj, Guntur.
5 The Superintending Engineer, Public Health, Guntur.
6 The Executive Engineer, R&B Division, Guntur.
7 The Executive Engineer, R&B Division, Tenali.
8 The Executive Engineer, R&B Division, Narasaraopet, Guntur dist.
9 The Executive Engineer, Panchayatraj, Guntur.
10 The Executive Engineer, Panchayatraj, Tenali, Guntur dist.
11 The Executive Engineer, Panchayatraj, Narasaraopet, Guntur dist.
12 The Executive Engineer, Marketing, Guntur.
13 The Commissioner, Guntur Municipal Corporation, Guntur.

14 Two CCs to the G.P. for Roads & Buildings, High Court Buildings, Hyderabad (OUT).

15 Two CD copies.